



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: June 26, 2001

By: Delord Z Brooking

Docket No. 4257-0025.30

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Clendennen and Kellogg

SERIAL No.: 09/811,093

FILED: March 16, 2001

FOR: MELON PROMOTERS FOR EXPRESSION OF
TRANSGENES IN PLANTS

EXAMINER: ~~Unknown~~ Mehta

ART UNIT: 1645

38

Information Disclosure Statement Within Three Months of
Application Filing or Before First Action - 37 CFR 1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

This information disclosure is being filed *within* three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ Copies of the following references can be found in parent application Ser. No.:

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

RECEIVED

JUL 06 2001

TECH CENTER 1600/2600

#7/E.D.S

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 04-0531.

Respectfully submitted,

Date:

June 26, 2001



Linda R. Judge
Registration No. 42,702

Correspondence Address:

Customer No. 22918